

1 H.32

2 Introduced by Representatives Grad of Moretown and Strong of Albany

3 Referred to Committee on

4 Date:

5 Subject: Human services; military affairs; traumatic brain injury services

6 Statement of purpose of bill as introduced: This bill proposes to allow the  
7 dependent family member of an active duty service member to apply and  
8 remain on the waitlist for traumatic brain injury services funded by Vermont's  
9 home and community-based services Medicaid waiver while the service  
10 member is assigned to military duty outside the State.

11 An act relating to the provision of traumatic brain injury services to family  
12 members of active duty service members

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. RULEMAKING; ELIGIBILITY AND APPLICATION PROCESS

15 FOR TRAUMATIC BRAIN INJURY SERVICES

16 (a) The Commissioner of Disabilities, Aging, and Independent Living shall  
17 adopt rules pursuant to 3 V.S.A. chapter 25 to enable the dependent family  
18 member of an active duty service member to remain on the waitlist for  
19 traumatic brain injury services funded through the State's home and  
20 community-based services Medicaid waiver regardless of the dependent family

1 member's absence from the State due to the service member's out-of-state  
2 military assignment, provided that:

3 (1) the dependent family member is currently eligible for traumatic  
4 brain injury services as prescribed by the Department; and

5 (2) the active duty service member is a legal resident of Vermont.

6 (b) Upon an eligible dependent family member's return to the State at the  
7 conclusion of the service member's out-of-state military assignment, the  
8 dependent family member shall retain his or her position on the waitlist for  
9 traumatic brain injury services funded through the State's home and  
10 community-based services Medicaid waiver or shall receive services if during  
11 his or her absence from the State he or she moved to a position of priority on  
12 the waitlist.

13 (c) As used in this section, "legal resident" means the state in which the  
14 active duty service member:

15 (1)(A) pays taxes;

16 (B) is registered to vote; or

17 (C) holds a valid driver's license; and

18 (2) plans to return after out-of-state military assignment.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2017.